

## CERTIFICATE OF SERVICE

I, Stacia L. Yoon, Trustee, certify that I am, and at all times during the service of  
(name)

process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this summons and a copy of the complaint was made

Aug. 20, 2010 by:

(date)

Mail Service: Regular, first class United States mail, postage fully pre-paid, addressed to:

Don Johnson  
100 Century 21 Excellence  
303 Broadway  
Chesterfield, IN 46304

Personal Service: By leaving the process with defendant or with an office or agent of defendant at:

Residence Service: By leaving the process with the following adult at:

Certified Mail Service of an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:

Publication: The defendant was served as follows: [Describe briefly]

State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_, as follows: [Describe briefly]

(name of state)

Under penalty of perjury, I declare that the foregoing is true and correct.

8/20/10

Date



Signature  
Stacia L. Yoon, Chapter 7 Trustee

Print Name		
Stacia L. Yoon, Trustee		
Business Address		
8585 Broadway, Ste. 480		
City	State	Zip
Merrillville, IN 46410		

**U.S. Bankruptcy Court  
Northern District of Indiana**

In re:

Bankruptcy Case No.10-20179-jpk

**JULIAN WINFORD CAMPBELL**

Debtor

Adversary Proceeding No.10-02107-jpk

**STACIA L YOON, TRUSTEE**

Plaintiff

v.

**DONALD JOHNSON**

Defendant

**SUMMONS IN AN ADVERSARY PROCEEDING**

**YOU ARE SUMMONED** and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

**Address of Clerk**

**CLERK, U.S. Bankruptcy Court  
Northern District of Indiana  
401 South Michigan Street  
South Bend, Indiana 46601**

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

**Name and Address of Plaintiff's Attorney**

**Stacia L. Yoon  
8585 Broadway, Suite 480  
Merrillville, IN 46410**

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**



Christopher M. Detoro, Clerk Of Court

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
CAMPBELL, JULIAN WINFORD )  
 )  
 )  
DEBTOR(S) )  
\*\*\*\*\* )  
STACIA L. YOON, TRUSTEE )  
 PLAINTIFF )  
 )  
vs. )  
JOHNSON, DON )  
 )  
DEFENDANT(S) )

CASE NO.: 10-20179 JPK

ADVERSARY NO.: 10-2107

**COMPLAINT**

Comes now Stacia L. Yoon, Trustee, by counsel, and for her claim against the Defendant, Don Johnson, alleges and states as follows:

1. The Plaintiff, Stacia L. Yoon, is duly qualified an acting Trustee in this case.
2. The Debtor, Julian Campbell, filed his Voluntary Petition for Relief under Chapter 7 of the United States Bankruptcy Code on January 21, 2010, under Case No.: 10-20179.
3. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §157, §1334, and this is a core proceeding under 28 U.S.C. §157(b)(2)(E)(H) and (J).
4. Venue is proper under 28 U.S.C. §1409 and the underlying bankruptcy case is located in this district and all events complained of in this Complaint occurred within this district.
5. On May 22, 2009, the Debtor gave the Defendant \$3,000.00 based on the Defendant's promise to lower the Debtor's mortgage payment.
6. On June 17, 2009, the Debtor gave the Defendant an additional \$1,500.00 for the same purpose.
7. The Defendant never obtained or attempted to obtain a lower mortgage payment for the Debtor.
8. Defendant ignored the Debtor's demand for return of the \$4,500.00.
9. The money now held by the Defendant is an asset of this bankruptcy estate.
10. The Trustee has demanded turnover of the asset.
11. The Defendant has failed to respond.
12. By refusing to turnover the \$4,500.00 to the Debtor and the Trustee, the Defendant knowingly and intentionally exerted unauthorized control over property of the Debtor and, ultimately, the property of the estate and has converted assets of the estate.

13. The action of the Defendant constitutes a criminal conversion pursuant to I.C. §35-43-4-3.

14. Pursuant to I.C. §34-24-3-1, the Defendant's conduct merits and award of damages, not to exceed three times the actual damages incurred by the estate, the costs of this action, and reasonable attorney fees.

WHEREFORE, the Stacia L. Yoon, Trustee prays for a judgment against the Defendant, Don Johnson, finding that his actions constitute conversion of estate assets as defined by I.C. §35-43-4-3 and entering judgment against the Defendant, Don Johnson, in the amount of \$4,500.00, plus three times of the amount converted, interests, costs, reasonable attorney fees and for all other just and proper relief.

DATED: August 20, 2010

By: /s/ Stacia L. Yoon  
STACIA L. YOON, TRUSTEE #16933-53  
Genetos Retson & Yoon LLP  
8585 Broadway, Suite 480  
Merrillville, IN 46410  
Telephone: (219) 755-0401  
[bankruptcy@grymlaw.com](mailto:bankruptcy@grymlaw.com)